

REMARKS

Claims 1-5 and 7-16 remain in this application. Claim 6 has been cancelled. The Applicant addresses the following remarks in response to the final Office action dated April 21, 2003.

I. CLAIM REJECTIONS - 35 USC § 103

The Examiner rejected claims 1-4, and 7 under 35 U.S.C. § 103(a) as being unpatentable over admitted prior art ("Admission") in view of *Powell* (U.S. Patent No. 4,007,953).

The Examiner stated that, regarding claim 1, the Admission in the specification teaches transducer mount 100 including a base 130, a holder sleeve 140 or first sleeve extending from the base, and a union sleeve 150 or second sleeve engaged with the holder sleeve. The Examiner states that the prior art lacks the first sleeve slidably engagable and removable from the second sleeve.

The Examiner stated that *Powell* discloses a coupling assembly for electrical and fluid applications wherein there is taught a sleeve-like barrel 12 and sleeve-like coupling nut 14 assembled with a snap ring 16 so that the nut may be removed. The two sleeve-like portions slide together along key ways. The Examiner stated that it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide for a removable sleeve-like coupling nut so that it may be replaced should it wear.

The Admission teaches an ultrasonic transducer mount including a base. Extending from the base is a holder sleeve. The holder sleeve holds a transducer holder that, in turn, holds a transducer. On the outside of holder sleeve are threads on an increased outer diameter section. The Admission refers to the increased outer diameter section as the union sleeve. The union sleeve, however, is not separate from, and instead is merely an extension of, the holder sleeve itself. A union nut that is part of an extractor tool engages the threads of the holder/union sleeve. Once engaged, the extractor tool is used to remove the transducer holder and the transducer from the holder sleeve. The holder sleeve is never removed from the transducer mount base and does not incur any premature wear and tear during normal operation that would cause a need for a portion of it to be replaced separately from the mount base.

Powell teaches a removable, captive coupling nut assembly. The coupling nut assembly comprises a coupling nut rotatably mounted on a barrel and a snap ring for captivating the nut axially on the barrel. The inner surface of the coupling nut is threaded for threadedly engaging the externally threaded shell of a mating receptacle connector member, which would extend into the annular space between the barrel and the coupling nut. The snap ring, the barrel, and the nut are designed so that the snap ring may be removed from the registering grooves in the barrel and nut, thereby allowing the nut to be removed from the barrel. The coupling nut assembly may be disassembled without the use of a tool, thereby permitting replacement of damaged or defective parts without the necessity of discarding or destroying any or all of the remaining parts of the assembly. In use, the coupling nut is free to completely rotate relative to the barrel for engaging the mating connector member.

To establish a prima facie case of obviousness: (1) there must be some suggestion or motivation to combine the references; (2) there must be a reasonable expectation of success; and (3) the prior art references, or references when combined, must teach or suggest all the claim limitations.¹ Claim 1 as amended requires a transducer mount with a removable second sleeve that is prevented from complete rotation relative to a first sleeve when engaged with the first sleeve. Neither the Admission nor *Powell* teach a removable second sleeve that is prevented from complete rotation relative to the first sleeve when engaged with the first sleeve. In fact, *Powell* teaches away from preventing complete relative rotation by specifically teaching that the removable sleeve is "rotatably mounted on a barrel"² to allow for screw thread engagement with the mating connector member. Thus, the references fail to teach all of the limitations of claim 1. Therefore, claim 1, as amended, is not obvious under 35 U.S.C. § 103 over the Admission in view of *Powell*. Applicant thus respectfully submits that claim 1, as amended, is in condition for allowance.

Regarding claim 2, the Examiner stated that the Admission shows the base includes a top surface, at least one side surface, and a bottom surface.

Applicant repeats its statements made above for claim 1. Claim 2 depends on claim 1 and therefore requires all of the limitations of claim 1. Therefore, claim 2 is not obvious under 35 U.S.C. § 103 over the Admission in view of *Powell*. Applicant thus respectfully submits that claim 2 is in condition for allowance.

Regarding claim 3, the Examiner stated that the Admission shows slots on the base top surface with slot holes extending through the base and screws fixedly engaging the slot holes for attaching the transducer mount to a housing.

Applicant repeats its statements made above for claims 1 and 2. Claim 3 depends on claim 2 and therefore requires all of the limitations of claims 1 and 2. Therefore, claim 3 is not obvious under 35 U.S.C. § 103 over the Admission in view of *Powell*. Applicant thus respectfully submits that claim 3 is in condition for allowance.

Regarding claim 4, the Examiner took Official Notice that it is widely known in the art to provide slits, slots, and grooves in various devices and one of ordinary skill would have known of their advantageous use in allowing easy separation by prying with a screwdriver.

Applicant repeats its statements made above for claims 1 and 2. Claim 4 depends on claim 2 and therefore requires all of the limitations of claims 1 and 2. Therefore, claim 4 is not obvious under 35 U.S.C. § 103 over the Admission in view of *Powell*. Applicant thus respectfully submits that claim 4 is in condition for allowance.

Regarding claim 7, the Examiner stated that the union sleeve 150 includes threads 151 for attaching an extractor tool for removing a transducer and a transducer holder from the holder sleeve 130 inner diameter.

¹ MPEP 706.02(j)

² *Powell*, col. 1, lines 52-53.

Applicant repeats its statements made above for claim 1. Claim 7 depends on claim 1 and therefore requires all of the limitations of claim 1. Therefore, claim 7 is not obvious under 35 U.S.C. § 103 over the Admission in view of *Powell*. Applicant thus respectfully submits that claim 7 is in condition for allowance.

II. ALLOWABLE SUBJECT MATTER

The Examiner stated that claims 5, 8, 9, and 13-16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant repeats its statements made above for claims 1 and 2. Claims 5, 8, 9, and 13-16 depend either directly or indirectly on claims 1 and 2 and therefore require all of the limitations of claims 1 and/or 2. Therefore, claims 5, 8, 9, and 13-16 are not obvious under 35 U.S.C. § 103 over the Admission in view of *Powell*. Applicant thus respectfully submits that claims 5, 8, 9, and 13-16 are in condition for allowance.

The Examiner stated in the previous Office action dated April 21, 2003 that claims 10-12 are allowed.

CONCLUSION

Applicant respectfully requests reconsideration the pending claims and that a timely Notice of Allowance be issued in this case. If the Examiner feels that a telephone conference would expedite the resolution of this case, he is respectfully requested to contact the undersigned.

In the course of the foregoing discussions, Applicant may have at times referred to claim limitations in shorthand fashion, or may have focused on a particular claim element. This discussion should not be interpreted to mean that the other limitations can be ignored or dismissed. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining the patentability of the claims. There may also be other distinctions between the claims and the prior art that have yet to be raised, but that may be raised in the future.

If any fees are inadvertently omitted or if any additional fees are required or have been overpaid, please appropriately charge or credit those fees to Conley Rose, P.C. Deposit Account Number 03-2769 (ref. 1787-11800) of Conley Rose, P.C., Houston, Texas.

Appl. No. 09/944,268

Request for Continued Examination and Preliminary Amdt. dated July 17, 2003

Respectfully submitted,
CONLEY ROSE, P.C.

A handwritten signature in cursive script, appearing to read "Collin A. Rose", written over a horizontal line.

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